

Union Leader

Smart: My Comments to Pierce Were Made To Get Information

Testimony By Pamela Smart

On taped conversations:

"I figured if (Cecelia) knew more about the murder, then she would tell me if I acted like I knew more about it."

On Bill Flynn:

"I didn't set out to have an affair with him, but I did."

On police:

"I felt like I was nothing. I felt like I was a reporter seeking information for no reason other than to report it to the world. I did not feel like the victim's wife."



By TAMI PLYLER

Union Leader Correspondent

EXETER — Pamela Smart yesterday testified she pretended knowing about the plot to kill her husband in an attempt to get more information from her student intern.

Smart said the taped conversations on June 13 with Cecelia Pierce showed how she tried to trick the girl into telling all she knew about the murder of Gregory Smart.

Smart, 23, who is on trial for helping to plot and carry out the May 1 murder of her husband Gregory, 24, took the stand yesterday in her own defense during the ninth day of testimony.

Smart said she had nothing to do with the murder plot.

"She (Pierce) made a statement that if I knew more about it (the murder), as long as I told her, she wouldn't tell anyone, and that we had to stick together," Smart, 23, testified. "I figured if she knew more about the murder, then she would tell me if I acted like I knew more about it."

Pierce, 16, testified Friday that Smart and her lover, William Flynn, then 16, included Pierce in the planning of the murder.

Police secretly recorded conversations between Pierce and Smart which authorities believe implicate Smart in the crime.

Gregory Smart, was murdered May 1 after he returned to his Derry home. He was shot in the head at close range with a .38 caliber hollow point bullet fired by Flynn, now 17.

Smart admitted for the first time yesterday that she did have an affair with Flynn.

"I didn't set out to have an affair with him, but I did," she said quietly during direct examination.

Smart confirmed for the most part, Flynn's story of their first sexual encounter after watching the movie video, "9½ Weeks."

While she said she did wear a negligee for him that evening, she denied dancing for him in an imitation of actress Kim Basinger's seductive dance in the movie as Flynn testified she had last week.

She also refuted Flynn's testimony that they re-enacted scenes from the movie with Flynn using ice as part of their sex play.

"I think he's having a problem remembering where reality began and the movie stopped," she said.

Smart, dressed in a navy blue jacket and skirt,

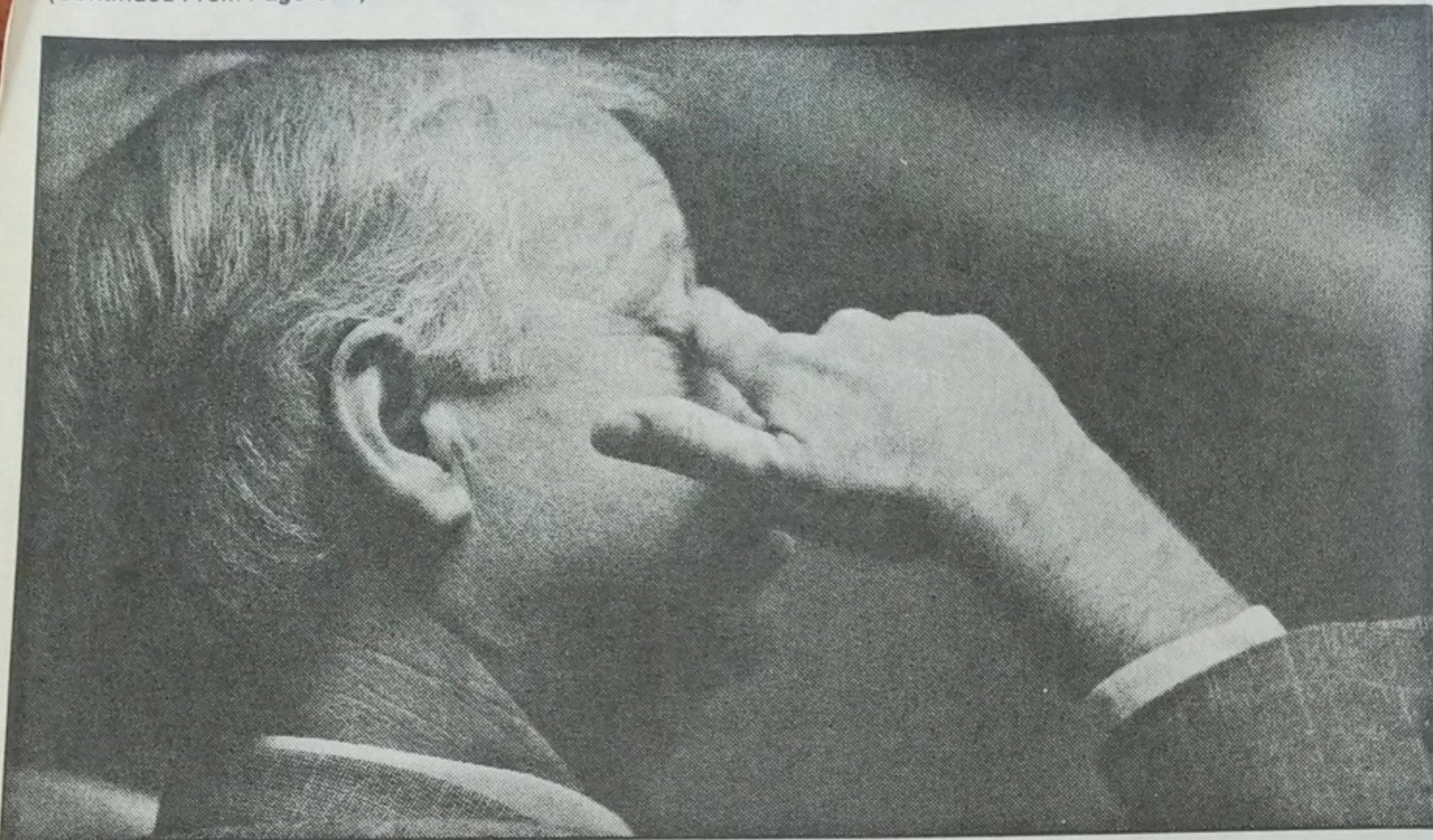
PAMELA SMART yesterday testified in her own defense in her accomplice to murder trial.

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SMART TRIAL

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WILLIAM SMART, father of murder victim Gregory Smart, listens to Pamela Smart's testimony.

remained composed through most of her testimony, despite some intense cross-examination by Assistant Attorney General Paul Maggiotto.

"Essentially, you admit the affair," Maggiotto said.

"Yes," Smart replied.

"But you had no involvement in the murder of Gregg Smart?" he asked.

"No," Smart said.

"Isn't that exactly what you told Cecelia Pierce on July 12, 1990, that you would do — that if you had to, you'd admit to the affair, but under no circumstances would you admit your involvement (in the murder)?" Maggiotto pressed.

"That's right," Smart said.

Smart testified she tried to break off the affair with Flynn several times, citing mixed emotions and love for her husband, who she said admitted in December 1989, to a one-night stand.

She denied ever telling Flynn that Gregory Smart abused her.

Smart said she admitted her affair to her husband and broke off her relationship with Flynn just days before the murder.

When she broke it off for the last time with Flynn, she said, he cried and threatened to kill himself.

"Then he stopped," she said. "He seemed mad at first. But then he seemed all right. He asked if he could still be my friend."

She said on a night just a week before the murder, Flynn was at her house. They had dinner, she said, then Flynn cleaned up, taking out the garbage and using the reverse trail through the basement and out the bulkhead that he admitted to using when he entered the house on the night he killed Smart.

Flynn testified last week that Smart purposely left the bulkhead unlocked on the day of the murder to allow him easy access to the house.

After the murder, Smart said, she once asked Flynn if he had anything to do with it. Flynn said no, and she believed him, Smart testified.

Even after Flynn and his friend Patrick "Pete" Randall and Vance Lattime Jr. were arrested in connection with the crime, she still did not believe her lover had any involvement.

"I thought 'Oh my God, they found out about the affair and they've arrested the wrong person,'" Smart said. "I didn't think Bill could do that."

She admitted to driving the teens to Haverhill, Mass., on the day of the murder to pick up Lattime's grandmother's car, but denied she discussed the murder plot with the teens or saw the handgun taken from Lattime's father.

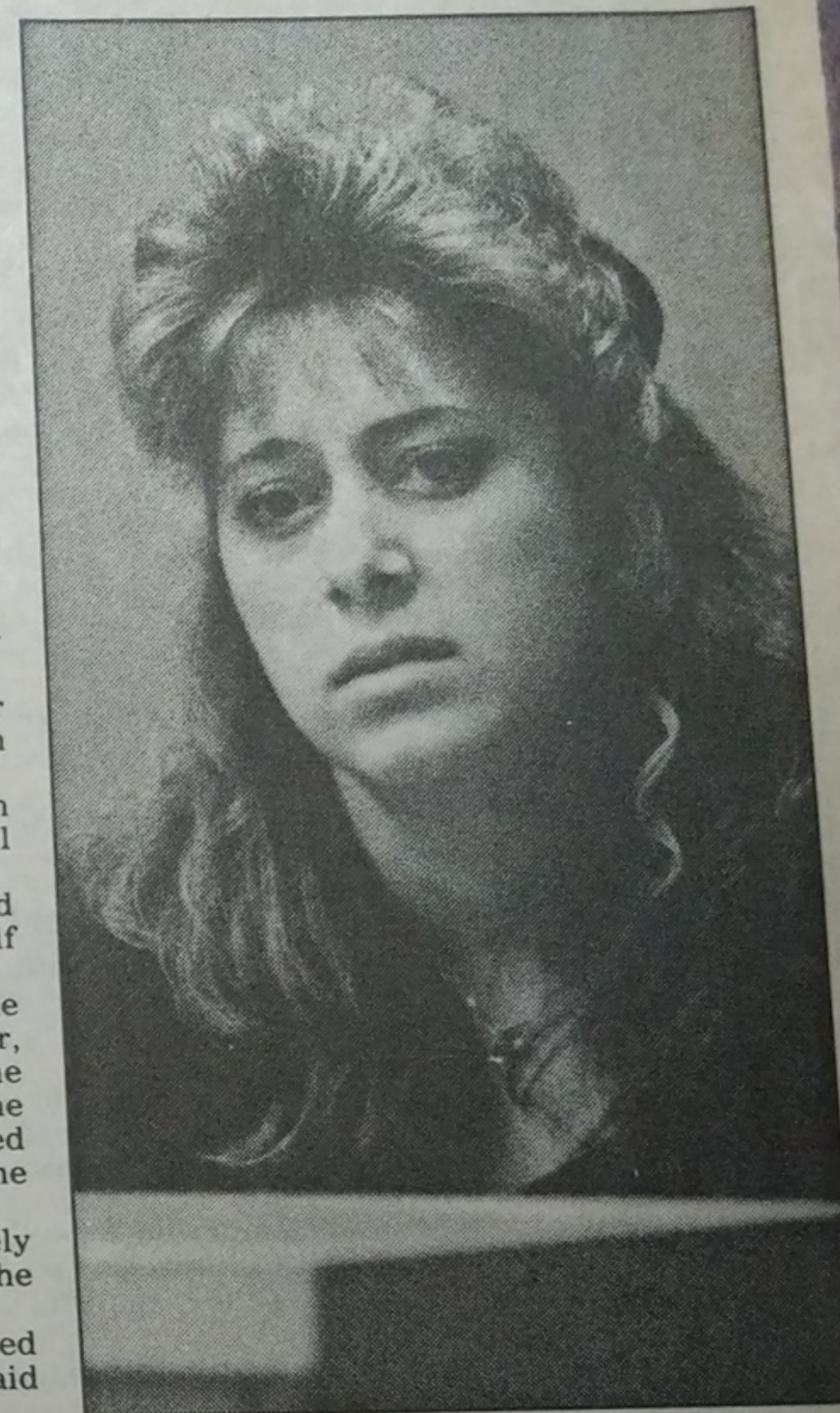
The first time she learned of her husband's death, she said, was after she found him lying face down in their foyer and a police officer said he was dead.

Her voice broke when she recalled hearing that her husband had died as the result of a gunshot.

"One day I was driving down the road and I heard it on the radio," she said. "That's how I found out."

She said she was excluded from the police investigation early on. "I felt like I was nothing," she said. "I felt like I was a reporter seeking information for no reason other than to report it to the world. I did not feel like the victim's wife."

But despite her former involvement with Flynn



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SONIA SIMON, a friend of Pamela Smart, testified, Smart "couldn't believe these kids she knew could have done this. She didn't want to believe this."

and her suspicions that Pierce knew about the murder before it happened, she did not go to police with that information, she admitted.

"You didn't do a damn thing to try to straighten it out, did you?" Maggiotto asked, before the proceedings were halted early because of a fire alarm.

Also testifying yesterday was Smart's friend Sonia Simon, who said her friend "was almost crazy" after Gregory Smart's murder, talking about the crime constantly and trying to find some answers.

"She couldn't believe these kids she knew could have done this," Simon said. "She didn't want to believe this."

Simon said Smart told her of her affair with Flynn just a month-and-a-half ago.

"I wasn't shocked for the simple reason it kind of made sense to me after everything," she said.

"It kind of makes sense to me, too," Maggiotto said.

Testimony continues today at 9:30 a.m.